

Remarks

Favorable reconsideration of this application, in view of the following, is respectfully requested.

Claims 9-28 are currently pending in the application.

Initially, Applicants note that the Office Action Summary states that Claims 1-28 are pending in the application, and that Claims 1-8 are withdrawn from consideration.

Applicants respectfully traverse these assertions, and respectfully assert that Claims 1-8 were canceled in an Amendment filed on March 18, 2002. Thus, Applicants respectfully assert that Claims 9-28 are currently pending in the application.

Applicants respectfully note that the Information Disclosure Statement (IDS) filed on November 7, 2003, has not yet been acknowledged by the Examiner. Applicants respectfully request that the Examiner evidence consideration of the references filed with the IDS by initialing and executing the List of References Cited by Applicant included therewith, and returning a copy of the initialed and executed List to Applicants with the next Patent Office communication.

In the Office Action, Claims 9-28 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 5,775,973 to Watanabe and U.S. Patent No. 5,959,199 to Suzuki et al. Without conceding to the propriety of the rejection, Applicants respectfully submit herewith a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) to overcome the rejection.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 9-28 is earnestly solicited.

Application No. 09/689,807

Reply to Office Action of December 17, 2003

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

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(OSMMN 08/03)

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Respectfully submitted,

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